

DEPARTMENT OF CORRECTIONS EDUCATION SERVICES

2022 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Melissa G. Ballard

Senate Sponsor: Luz Escamilla

LONG TITLE**General Description:**

This bill concerns educational and career-readiness programs for incarcerated individuals.

Highlighted Provisions:

This bill:

- ▶ requires the Department of Corrections to:
 - ensure appropriate educational or career-readiness programs are made available to an inmate as soon as certain conditions are met;
 - provide incarcerated women with substantially equivalent educational and career-readiness opportunities as incarcerated men;
 - provide reasonable access to resources necessary for an inmate to apply for grants or other available financial aid for an educational or career-readiness program;
 - consider an inmate's current participation in an educational or career-readiness program when making a decision regarding an inmate's transfer or disciplinary sanction;
 - when possible, allow an inmate to continue an inmate's participation in an educational or career-readiness program while a facility is under lockdown, quarantine, or similar status;
 - maintain and release educational records for an inmate under certain conditions;



and

- provide an annual report to the Higher Education Appropriations Subcommittee regarding the department's educational and career-readiness programs for inmates; and

- ▶ makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

64-13-48, Utah Code Annotated 1953

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **64-13-48** is enacted to read:

64-13-48. Educational and career-readiness programs.

(1) The department shall, in accordance with Subsection 64-13-6(1)(c), ensure that appropriate evidence-based and evidence-informed educational or career-readiness programs are made available to an inmate as soon as practicable after the ~~the~~ **creation** of the inmate's case action plan.

(2) The department shall provide incarcerated women with substantially equivalent educational and career-readiness opportunities as incarcerated men.

(3) Before an inmate begins an educational or career-readiness program, the department shall provide reasonable access to resources necessary for an inmate to apply for grants or other available financial aid that may be available to pay for the inmate's program.

(4) (a) The department shall consider an inmate's current participation in an educational or career-readiness program when the department makes a decision with regard to an inmate's:

(i) transfer to another area or facility; or

(ii) appropriate disciplinary sanction.

(b) When possible, the department shall use best efforts to allow an inmate to continue

the inmate's participation in an educational or career-readiness program while the facility is under lockdown, quarantine, or a similar status.

(5) (a) The department shall maintain records on an inmate's educational progress, including completed life skills, certifications, and credit- and non-credit-bearing courses, made while the inmate is incarcerated.

(b) The department shall facilitate the transfer of information related to the inmate's educational process upon the inmate's release, including the inmate's post-release contact information and the records described in Subsection (5)(a), to:

(i) the inmate; or

(ii) an entity that the inmate has authorized to receive the inmate's records or post-release contact information, including an institution:

(A) from which the inmate received educational instruction while the inmate was incarcerated; or

(B) at which the inmate plans to continue the inmate's post-incarceration education.

(6) Beginning May 1, 2023, the department shall provide an annual report to the Higher Education Appropriations Subcommittee regarding educational and career-readiness programs for inmates, which shall include:

(a) the number of inmates who are participating in an educational or career-readiness program, including an accredited postsecondary education program;

(b) the percentage of inmates who are participating in an educational or career-readiness program as compared to the total inmate population;

(c) inmate program completion and graduation data, including the number of completions and graduations in each educational or career-readiness program;

(d) the potential effect of educational or career-readiness programs on recidivism, as determined by a comparison of:

(i) the total number of inmates who return to incarceration after a previous incarceration; and

(ii) the number of inmates who return to incarceration after a previous incarceration who participated in or completed an educational or career-readiness program;

(e) the number of inmates who were transferred to a different facility while currently participating in an educational or career-readiness program, including the number of inmates

90 who were unable to continue a program after a transfer to a different facility; and

91 (f) the department's:

92 (i) recommendation for resources that may increase inmates' access to and participation
93 in an educational or career-readiness program; and

94 (ii) estimate of how many additional inmates would participate in an educational or
95 career-readiness program if the resources were provided.

96 (7) The department may make rules in accordance with Section [64-13-10](#) and Title
97 63G, Chapter 3, Utah Administrative Rulemaking Act, to carry out the provisions of this
98 section.